



Town of Berwyn Heights

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MAYOR
Stephen D. Isler
COUNCIL MEMBERS
Jason W. Papanikolas (Mayor Pro Tem)
Amanda M. Dewey
Jeffrey Jay Osmond
Ethan D. Sweep

Worksession Minutes August 5, 2019 7:00 pm

Present were Mayor Stephen Isler, Mayor Pro Tempore (MPT) Jason Papanikolas, Councilmembers (CMs) Amanda Dewey, Ethan Sweep, and Jeffrey Jay Osmond. Also present were Town Manager (TM) Maria Broadbent, Clerk Kerstin Harper, Code Compliance Director Hollyce Goodwin and citizens.

1. Announcements

All are invited to come to National Night Out on August 6, 6 - 8 p.m. Anyone interested in a more pedestrian and bicycle friendly community is encouraged to join the Walkable, Bikeable Berwyn Heights Task Force that is going to be established soon.

2. Discussion Items

Variance 41-2019 5805 Berwyn Road: Mayor Isler welcomed the owner of the property at 5805 Berwyn Road, Alex Waterhouse. TM Broadbent explained that Mr. Waterhouse is planning to connect an existing garage to the dwelling with a breezeway/ mudroom, and to add a 2nd story to the dwelling. A variance from setback requirements is needed because the garage will become part of the same structure as the dwelling. The owner also plans to pave a driveway currently covered by crushed stone and amended his application to meet the allowed 30% lot coverage requirement. Staff recommends approval.

CM Dewey said she appreciates the owner working with the Town to reduce his lot coverage from the original application because it helps reduce stormwater runoff. Mr. Waterhouse said the only runoff to flow into storm drains from the property would come from the driveway. CM Sweep said that this property appears to conform to the criteria the Council was provided by the Town Attorney to evaluate variances. Therefore, he sees no reason to deny it. The Council will vote on the variance at the Town meeting.

Variance 66-2019 8802 Edmonston Road: Mayor Isler welcomed Ricardo Cardenas, the owner of 8802 Edmonston Road. Director Goodwin explained that the property owner currently owns lot 11 and 12 in block 43 on Edmonston Road but plans to sell lot 12. This would leave them without a driveway for their home. They are requesting a variance from the location requirement to construct a new driveway on lot 11 that would be directly in front of the dwelling. Staff recommends approval with conditions: 1) that the driveway be no larger than the proposed 12' x 30' and 2) that a physical barrier be installed at the end of the driveway to prevent a vehicle from potentially crashing into the dwelling

by accident.

TM Broadbent added that County zoning regulations don't normally allow for driveways to be constructed in front of the house. The County has reviewed this variance application and sent it to the Town to make a recommendation to either approve or deny the variance. The County will not approve an application that the Town recommends denying.

The Council agreed with variance request because the owner will need a driveway. The formal vote will take place at the August 14 Town meeting.

Ordinance 180 Homeowners Tax Credit: TM Broadbent explained that this Ordinance allows a 10% tax credit against the Town's real property tax bill for homeowners who qualify for the State of Maryland Homeowner's Property Tax Credit Program. The State's program is intended to provide tax relief for homeowners whose combined gross household income is below \$60,000 a year. Applications for the State's program are due on September 1, and applications to the Town would be due on November 1. By that time, the homeowner should have been notified whether he or she will receive the State's tax credit. Credits would be disbursed starting February 1 next year. The timing allows the Town Council to appropriate a sum for the tax credit program that takes into account the financial resources available, as determined in a mid-year budget review.

MPT Papanikolas said this program is similar to that of other municipalities. A decision on whether to award the credit would not be made until homeowners have paid their real property taxes. No credit would be awarded to homeowners who have not paid their taxes. Further, the Town does not need to collect personal information about the applicant but will simply require proof that the applicant is eligible for the State program, where the State has already collected the relevant information.

The Councilmembers were supportive of adopting the program but had a couple of concerns, including that a homeowner only needs to live in the home for 6 months of the year to be eligible and that the Town Council would have to appropriate the money for the program mid-year and would decide on the amount based on available resources. CM Dewey said a rough estimate indicates the program may cost between \$5,000 - \$10,000 and could probably be covered by unspent money, such as salary lapses.

Phil Ventura, 57th Avenue, asked why the Town would adopt such a program in a year when taxes and spending have already gone up substantially. MPT Papanikolas said he thinks the program is worth having regardless of whether there are tax increases or not. The people who most benefit from it are usually residents on fixed incomes, such as seniors and people with disabilities.

Resolution 14-2019 Renewal of the Seniors Club MOU: TM Broadbent said this is an agreement between the Seniors Club and the Town for the use of the Senior Center that was supposed to be renewed every year but was not. The last signed copy that could be located dates from 1998. She has made some changes to the agreement, e.g. lengthening the term to 3 years with an option for two 1-year extensions and removing a provision authorizing the Club to administer applications by third parties for use of the Senior Center. Instead, other groups or individuals would now apply to the Town if they want to use the room. The Council agreed with the proposed changes.

Resolution 15-2019 Walkable, Bikeable Berwyn Heights Task Force: CM Dewey explained that the Council was approached by a resident who wants to examine how to make the Town more pedestrian and bicycle friendly in light of the impending redevelopment of Beltway Plaza and other changes to

occur in the area. After discussing his ideas with the Council at a recent worksession, the Council decided to establish a task force based on the format of the Quality of Life Commission. The task force would hold 3 meetings to study the issues, review related proposals, gather input and make recommendations. The Council would then use the recommendations to fund potential projects in the next budget cycle and to help shape transportation options that may result from development around Berwyn Heights.

CM Dewey said the resolution establishing the task force drafted by TM Broadbent incorporates these principles. She would only add that a task force should be given a mandate to obtain input from a broad cross section of the residents. The planned citizen survey may supply some answers on walkability and bikeability but it is important that the task force hear from wide variety of people and not just a narrow segment. The task force charter should also include the mandate to review existing proposals from outside agencies or consultants for improving transportation options in the area so that the task force does not duplicate work already done.

In discussion, it was proposed to attempt to include a high school student among the task force members; to ask the task force to produce a bibliography or list of relevant studies and proposals with a recommendation on those aspects of a study worth pursuing; and to set a deadline of March 15, 2020 for presentation of the task force recommendations. The Council agreed establish the task force at the August Town meeting, appoint members at the September Town meeting and set a first meeting date shortly thereafter.

Resolution 16-2019 Purchase of a Refuse Vehicle: Public Works Director Hall said the new refuse truck the Town plans to buy can hold 29 cubic yards as opposed to 27 cubic yards of the one it replaces. However, the chassis and wheelbase are the same size. The larger body would allow for a greater volume of recyclables to be collected when the new recycling bins have been distributed. The truck will not be delivered until 6 to 8 months from now because it is made to order.

TM Broadbent said this truck will be purchased through a purchasing cooperative that puts out nationwide bids. This saves the Town a lot of time and money. There is \$205,000 in the Town's vehicle replacement reserve to replace the truck but it will only cost \$187,000, thanks to utilizing the purchasing cooperative's contract. The price includes warranties and the recycling cart tippers. The Resolution will be up for adoption at the August Town meeting.

Resolution 17-2019 Purchase of 1-ton Pickup Truck: TM Broadbent said this pickup truck will be purchased by piggybacking onto a State of Maryland contract, again saving the Town time and money because it is a statewide contract. This truck comes with a snowplow and salt spreader. The Town will now have two trucks with new spreaders that can spread salt more evenly. The truck was scheduled to be replaced in the last fiscal year and \$47,000 is still in the replacement reserve for that purpose. The cost of the new truck will be \$39,300, plus \$4,400 for outfitting. The old truck will become available for use by the Code Department. Director Hall noted that he was able to sell an old dump truck for \$6,000. This money may be applied to the purchase of a new hybrid police vehicle that is likely more expensive than what was budgeted.

Phil Ventura suggested not getting tinted windows in a new pickup truck.

Resolution 18-2019 Contract for Road Resurfacing: TM Broadbent said the Council budgeted \$224,800 to continue resurfacing its streets. It is proposed to utilize the same Prince George's County

contract and contractor, VMP Construction of Lanham, that was used last year with the same unit prices. There is a specific list of streets to be repaired with this money and any residual funds would be used to renovate the Town Center parking lot. The details of the project will be at Director Hall's discretion.

Director Hall said how far that money goes in repairing the roads depends on a number of factors, including the condition of the sub-base and curbs and gutters. In addition, he will seek to limit the project to those sections of street not affected by WSSC's upcoming watermain replacement project. TM Broadbent said the selection of streets to be repaired is based in part on data furnished by Roadbotics, Inc., a pavement assessment consultant.

Phil Ventura asked if the project will include more concrete bus pads. CM Dewey said it will, at the intersection of 60th Avenue and Ruatan Street.

Resolution 19-2019 Investment Policy: TM Broadbent said municipalities are required to file an investment policy with the State of Maryland. The Town last submitted an investment policy to the State in 1995. The policy was supposed to be reviewed by the Town Council annually and any changes thereto to be approved by the Town Council. However, this appears not to have happened. During the last budget process, the Council was considering moving some of its reserves into an insured cash sweep account bearing higher interest rates, which should become part of the investment policy. The object of a good investment policy is to have a diverse portfolio while making sure that the principal is not at risk and the Town has access to cash when needed.

TM Broadbent said she will continue to work on the policy to ensure it conforms with State of Maryland requirements and incorporates any suggestions from the Council. She also recommends engaging an independent expert to give the Council investment advice when they review the policy. She will forward the Council a couple of suggestions.

3. Minutes

The Council reviewed and corrected the July 10 Town meeting minutes. The minutes will be approved at the next Town meeting.

4. Department Reports

Mayor Isler said the Police is busy getting everything ready for National Night Out tomorrow. He thanked everyone who donated school supplies for the backpack project. MPT Papanikolas commended all those who helped out a family that lost their home to a fire last weekend. CM Dewey said that one gray cat is missing from the fire and should be reported through Facebook or to Officer Rufino if found. TM Broadbent said it was good to see fire and rescue service from surrounding communities cooperate to put out the fire as well as defend the family from salespeople who show up to try to score jobs in restoration work. Mayor Isler said he was impressed by all the help neighbors offered.

CM Sweep said the Town is planning for the next road project and will inform residents of any traffic and parking restrictions when the time comes. CM Dewey announced upcoming events, including National Night Out, a nationwide celebration to improve citizen-law enforcement relations, and the last summer concert at Lake Artemesia on August 29. Residents are also encouraged to remove or keep invasive species, such as English Ivy, in check.

In response to CM Osmond, TM Broadbent said the search for the 2nd Code official has resumed since a candidate who had been selected did not show up when the job was to start. TM Broadbent also reported that project tracking has begun, which is meant to ensure that projects are completed in a timely fashion. Projects to be tracked could be new policies, come out of the budget process, or be recommended by citizen commissions. She will recommend to the Council that department directors give oral progress reports on projects on a quarterly basis rather than giving monthly reports at Town meetings. They would continue to complete monthly, written reports. This will help measure performance on initiatives that are funded.

6. Town Council Schedule

The Council reviewed the Council calendar. An executive session is scheduled for August 14, 6:00 p.m. The first worksession in September was set for 9th to accommodate Labor Day. The Ice Cream Social was confirmed for September 19th, Trunk or Treat for October 19th, and special Halloween Town cleanup for November 2nd.

7. Citizens Discussion

Phil Ventura commented that some bushes at the Town Center are growing into the sidewalks or have weed trees sprouting out of them and should be trimmed. Further, he hopes poison ivy growing next to the Town office and broken fluorescent light bulbs will be removed before National Night Out.

The meeting was adjourned at 9:05 p.m.

Signed: *Kerstin Harper*, Town Clerk